

| | | |
|------------------------------------------------------------------------------------------------------------------------------------------|------------------------|----------------------------------------------------------------------------------------------|
| UTILITY PATENT APPLICATION TRANSMITTAL <i>(Only for new non-provisional applications under 37 CFR 1.53(b))</i> | Title of Invention | Antiviral Activity and Resolution of 2-Hydroxymethyl-5(5-Fluorocytosin-1-yl)-1,3-Oxathiolane |
| | Named Inventor(s) | Dennis C. Liotta; Raymond Schinazi; and Woo-Baeg Choi |
| | Attorney Docket | 18085.105094 CON 4 |
| | Express Mail Label No. | EV330779720US |

APPLICATION ELEMENTS

Mail Stop Patent Application
 Commissioner for Patents
 ADDRESS TO: P. O. Box 1450
 Alexandria, VA 22313-1450

| | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. <input checked="" type="checkbox"/> Fee Transmittal Form <i>(Submit an original, and a duplicate for fee processing)</i> 2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. 3. <input checked="" type="checkbox"/> Specification, Claims, and Abstract Total Pages 64 4. <input checked="" type="checkbox"/> Drawings Total Sheets 12 5. Oath or Declaration Total Pages 4 a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 17 completed)</i> (i) <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). 6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76. 7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program <i>(Appendix)</i> 8. Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i> a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper c. <input type="checkbox"/> Statement verifying identity of above copies | ACCOMPANYING APPLICATION PARTS 9. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s)) 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <i>(when there is an assignee)</i> <input type="checkbox"/> Power of Attorney by assignee 11. <input type="checkbox"/> English Translation Document <i>(if applicable)</i> 12. <input type="checkbox"/> Information Disclosure Statement (IDS) PTO-1449 <input type="checkbox"/> Copies of IDS Citations 13. <input checked="" type="checkbox"/> Preliminary Amendment (3 Pages) 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i> 15. <input type="checkbox"/> Certified Copy of Priority Document(s) 16. <input checked="" type="checkbox"/> Assignee: <u>Emory University</u> _____ _____ 19. <input checked="" type="checkbox"/> Other: <u>Request for Filing a Continuation Application</u> _____ _____ |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

17. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information:
☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: **08/475,339, filed June 7, 1995**

 Prior application information: Examiner: **Richard L. Raymond** Group/Art Unit: **1624**
For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered as being part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS:

| | |
|----------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Sherry M. Knowles KING & SPALDING LLP 45 th Floor 191 Peachtree Street, N.E. Atlanta, Georgia 30303 | By: <u>Sherry Knowles</u> <i>with express permission</i> <u>Model # 36,174</u> Date: <u>November 3, 2003</u> Telephone: <u>404.572.4600</u> Facsimile: <u>404.572.5145</u> Customer No. <u>20786</u> |
|----------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

 17548 U.S. PTO
10/700276


FEE TRANSMITTAL



Attorney Docket No. 18085.105094 CON 4

Express Mail Label No. EV330779720US

This sheet accompanies a patent application transmittal for the following application:

Inventor(s): Dennis C. Liotta; Raymond Schinazi and Woo-Baeg Choi

Filing Date: November 3, 2003

Title: Antiviral Activity and Resolution of 2-Hydroxymethyl-5(5-Fluorocytosin-1-yl)-1,3-Oxathiolane

The filing fee is calculated as shown below:

1. FILING FEE:

| FOR: | SMALL ENTITY | | LARGE ENTITY | |
|--------------------------------------------------------|--------------|----------|--------------|----------|
| | FEE | FEE PAID | FEE | FEE PAID |
| <input checked="" type="checkbox"/> UTILITY FILING FEE | \$385 | | \$770 | \$770.00 |
| <input type="checkbox"/> DESIGN FILING FEE | \$170 | | \$340 | |
| <input type="checkbox"/> PLANT FILING FEE | \$265 | | \$530 | |
| <input type="checkbox"/> REISSUE FILING FEE | \$385 | | \$770 | |
| <input type="checkbox"/> PROVISIONAL FILING FEE | \$80 | | \$160 | |
| SUBTOTAL (1) | | \$ | | \$770.00 |

2. CLAIMS:

| FOR: | SMALL ENTITY | | | LARGE ENTITY | | |
|------------------------------------------------------------------------|--------------|-----------|--------|--------------|-----|------------|
| | NO. FILED | NO. EXTRA | RATE | RATE | FEE | FEE |
| TOTAL CLAIMS | 54 - 20 = | 34 | x 9 = | 34 x 18 = | | 612.00 |
| INDEP. CLAIMS | 10 - 3 = | 7 | x 43 = | 7 x 86 = | | 602.00 |
| <input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED | | | +145 = | +290 = | | 290.00 |
| SUBTOTAL (2) | | | \$ | | | \$1,504.00 |

3. ADDITIONAL FEES:

| FOR: | SMALL ENTITY | | LARGE ENTITY | |
|----------------------------------------------------|--------------|----------|--------------|----------|
| | FEE | FEE PAID | FEE | FEE PAID |
| <input type="checkbox"/> LATE FILING, FEE OR OATH | \$65 | | \$130 | |
| <input type="checkbox"/> NON-ENGLISH SPECIFICATION | \$130 | | \$130 | |
| <input type="checkbox"/> OTHER | | | | |
| SUBTOTAL (3) | | \$xxx | | \$xxx |

TOTAL FILING FEES: \$2,274.00

A check is enclosed for the total amount: \$770.00

☒ Charge any additional fees required under 37 C.F.R. 1.16 or 1.17 to Deposit Account 11-0980.

KING & SPALDING LLP

45th Floor, 191 Peachtree Street, N.E.

Atlanta, Georgia 30303

Telephone: 404.572.4600

By: Sherry M. Knowles
 Sherry M. Knowles, Attorney for Applicant
 Reg. No. 33,052

Date: November 3, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Liotta et al.

Filed: November 3, 2003

TC/A.U. Unassigned

Examiner: Unassigned

Serial No.: Unassigned

Continuation of U.S.S.N. 08/475,339
Filed: June 7, 1995

Docket No. 18085.105094 CON4

Customer No. 20786

For: Antiviral Activity and Resolution of 2-Hydroxymethyl-5(5-Fluorocytosin-1-yl)-
1,3-Oxathiolane

REQUEST FOR FILING A CONTINUATION APPLICATION UNDER 37 CFR § 1.53(b)

Mail Stop Patent Application
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a request by Dennis C. Liotta, Raymond Schinazi, and Woo-Baeg Choi for filing a Continuation Application under 37 C.F.R. § 1.53(b) of pending prior application U.S. Serial No. 08/475,339, filed on June 7, 1995, currently pending.

Enclosed is a copy of the prior application U.S.S.N. 08/475,339 as originally filed on June 7, 1995. The application includes sixty-four pages of Specification and twelve pages of Formal Drawings. I hereby verify that the attached papers are a true copy of what is shown in my records to be the above-identified prior application.

Dennis C. Liotta, Raymond Schinazi, and Woo-Baeg Choi have assigned their interest in the application to Emory University, on April 2, 1992; March 23, 1992; and March 24, 1992

respectively. A copy of the recorded assignment is enclosed. The Assignment was recorded in Reel No. 6128, Frame No. 0089; Reel No. 6128, Frame No. 0085; and Reel No. 6128, Frame No. 0093 respectfully. Also enclosed are copies of the executed Declarations for Patent Application and Powers of Attorney.

Applicants enclose a fee transmittal and a check for \$770.00 to cover the filing fee. The Commissioner for Patents is authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 11-0980.

Respectfully submitted,

Sherry Knowles with express permission

M. Aditya 36,174

Sherry M. Knowles
Reg. No. 33,052

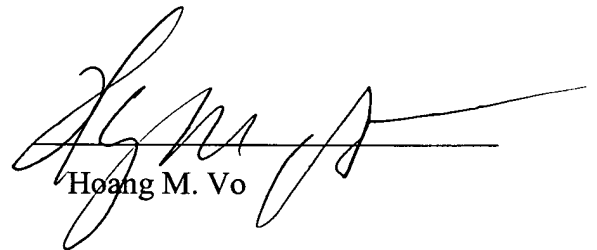
Date: November 3, 2003

Express Mail Label EV330779720US

King & Spalding LLP
191 Peachtree Street
Atlanta, Georgia 30303
404-572-3541 (telephone)
404-572-5145 (facsimile)
Attorney Docket No. 18085.105094 CON4

**CERTIFICATE OF MAILING UNDER 37 CFR § 1.10
FOR UTILITY PATENT APPLICATION FILING**

I hereby certify that this Request for filing a Continuation Application, Utility Patent Application Transmittal, Utility Patent Application, and Fee Transmittal, along with any documents referred to as attached therein are being deposited with the United States Postal Service in an envelope as "Express Mail Post Office to Addresses" services under 37 CFR 1.10, Mailing Label Number EV330779720US addressed to Box PATENT APPLICATION; Commissioner for Patents; P. O. Box 1450, Alexandria, VA 22313-1450.



Hoang M. Vo

Date: November 3, 2003